

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
WESTERN DIVISION**

James E. Allen,

Case No. 01:11CV00813

Petitioner

v.

ORDER

Donald Morgan, Warden,

Respondent

This is state prisoner habeas corpus petition in which the Magistrate Judge, after referral, has filed a Report and Recommendation. (Doc. 16). Though notified to do so, the petitioner has failed to file an objection to the Report and Recommendation. He has, as a result, waived his right to further review.

I have, nonetheless, reviewed the petition, related pleadings, and Report and Recommendation. I find the Report and Recommendation well taken and conclude that I should adopt it and deny the petition.

It is, therefore,

ORDERED THAT:

1. The Magistrate Judge's Report and Recommendation be, and the same hereby is adopted, there being no objections thereto; and

2. The petition be, and the same hereby is dismissed with prejudice.

An appeal from this order would be frivolous, and shall not be taken without prepayment of the requisite filing fee.

So ordered.

/s/ James G.Carr
Sr. U.S. District Judge